

House File 2337 - Reprinted

HOUSE FILE 2337

BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO LSB 5116HA)

(SUCCESSOR TO LSB 5116HB)

(As Amended and Passed by the House February 28, 2012)

A BILL FOR

1 An Act relating to appropriations to the department of cultural
2 affairs, the economic development authority, certain
3 board of regents institutions, the department of workforce
4 development, the Iowa finance authority, and the public
5 employment relations board, providing for other properly
6 related matters, including effective date and retroactive
7 and other applicability provisions.
8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

FY 2012-2013 APPROPRIATIONS

Section 1. 2011 Iowa Acts, chapter 130, section 48, is amended to read as follows:

SEC. 48. DEPARTMENT OF CULTURAL AFFAIRS. There is appropriated from the general fund of the state to the department of cultural affairs for the fiscal year beginning July 1, 2012, and ending June 30, 2013, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ADMINISTRATION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions for the department:

.....	\$	85,907
		<u>171,813</u>
.....	FTEs	74.50

The department of cultural affairs shall coordinate activities with the tourism office of the ~~department of~~ economic development authority to promote attendance at the state historical building and at this state's historic sites.

Full-time equivalent positions authorized under this subsection shall be funded, in full or in part, using moneys appropriated under this subsection ~~and~~, subsections 3 through 7, and subsection 10.

2. COMMUNITY CULTURAL GRANTS

For planning and programming for the community cultural grants program established under section 303.3:

.....	\$	86,045
		<u>172,090</u>

3. HISTORICAL DIVISION

For the support of the historical division:

.....	\$	1,383,851
		<u>2,767,701</u>

4. HISTORIC SITES

1 For the administration and support of historic sites:
2 \$ ~~213,199~~
3 426,398

4 5. ARTS DIVISION
5 For the support of the arts division:
6 \$ ~~466,882~~
7 933,764

8 6. IOWA GREAT PLACES
9 For the Iowa great places program established under section
10 303.3C:
11 \$ ~~75,000~~
12 150,000

13 7. ARCHIVE IOWA GOVERNORS' RECORDS
14 For archiving the records of Iowa governors:
15 \$ ~~32,967~~
16 65,933

17 8. RECORDS CENTER RENT
18 For payment of rent for the state records center:
19 \$ ~~113,622~~
20 227,243

21 9. BATTLE FLAGS
22 For continuation of the project recommended by the Iowa
23 battle flag advisory committee to stabilize the condition of
24 the battle flag collection:
25 \$ ~~30,000~~
26 60,000

27 Sec. 2. BATTLE FLAG RESTORATION FUND.
28 1. A battle flag restoration fund is created and established
29 as a separate and distinct fund in the state treasury under
30 the control of the department of cultural affairs. The moneys
31 in the fund are appropriated to the department for purposes
32 of continuing the project recommended by the Iowa battle flag
33 advisory committee to stabilize the condition of the battle
34 flag collection. Moneys in the fund shall not be subject to
35 appropriation for any other purpose by the general assembly,

1 but shall be used only for the purposes of the battle flag
2 restoration fund.

3 2. The battle flag restoration fund shall consist of any
4 moneys appropriated by the general assembly and any other
5 moneys available to and obtained or accepted by the department
6 for placement in the fund including any proceeds from insurance
7 settlements received by the state involving battle flags loaned
8 to other states or entities.

9 3. Notwithstanding section 12C.7, subsection 2, interest or
10 earnings on moneys in the fund shall be credited to the fund.

11 Sec. 3. 2011 Iowa Acts, chapter 130, section 49, subsection
12 1, is amended to read as follows:

13 1. For the fiscal year beginning July 1, 2012, the goals for
14 the ~~department of~~ economic development authority shall be to
15 expand and stimulate the state economy, increase the wealth of
16 Iowans, and increase the population of the state.

17 Sec. 4. 2011 Iowa Acts, chapter 130, section 49, subsection
18 2, unnumbered paragraph 1, is amended to read as follows:

19 To achieve the goals in subsection 1, the ~~department of~~
20 economic development authority shall do all of the following
21 for the fiscal year beginning July 1, 2012:

22 Sec. 5. 2011 Iowa Acts, chapter 130, section 50, subsection
23 1, is amended to read as follows:

24 1. APPROPRIATION

25 There is appropriated from the general fund of the state to
26 the ~~department of~~ economic development authority for the fiscal
27 year beginning July 1, 2012, and ending June 30, 2013, the
28 following amounts, or so much thereof as is necessary, to be
29 used for the purposes designated in subsection 2, and for not
30 more than the following full-time equivalent positions:

31	\$	4,891,712
32		8,858,424
33	FTEs	149.00

34 Of the moneys appropriated pursuant to this subsection, the
35 economic development authority shall not allocate more than

1 \$75,000 for the purchase of licensing related to a business
2 assistance website.

3 Sec. 6. 2011 Iowa Acts, chapter 130, section 50, subsection
4 2, paragraphs b and c, are amended to read as follows:

5 b. The full-time equivalent positions authorized under this
6 section shall be funded, in whole or in part, by the moneys
7 appropriated under subsection 1 or by other moneys received by
8 the ~~department~~ authority, including certain federal moneys.

9 c. For business development operations and programs, ~~the~~
10 ~~film office~~, international trade, export assistance, workforce
11 recruitment, and the partner state program.

12 Sec. 7. 2011 Iowa Acts, chapter 130, section 50, subsection
13 4, paragraph c, is amended to read as follows:

14 c. A business that receives financial assistance from the
15 ~~department~~ authority from moneys appropriated in this section
16 shall only employ individuals legally authorized to work in
17 this state. In addition to all other applicable penalties
18 provided by current law, all or a portion of the assistance
19 received by a business which is found to knowingly employ
20 individuals not legally authorized to work in this state is
21 subject to recapture by the department.

22 Sec. 8. 2011 Iowa Acts, chapter 130, section 50, subsection
23 5, is amended to read as follows:

24 5. USES OF APPROPRIATIONS

25 a. From the moneys appropriated in this section, the
26 ~~department~~ authority may provide financial assistance in the
27 form of a grant to a community economic development entity for
28 conducting a local workforce recruitment effort designed to
29 recruit former citizens of the state and former students at
30 colleges and universities in the state to meet the needs of
31 local employers.

32 b. From the moneys appropriated in this section, the
33 ~~department~~ authority may provide financial assistance to
34 early stage industry companies being established by women
35 entrepreneurs.

1 c. From the moneys appropriated in this section, the
 2 ~~department~~ authority may provide financial assistance in
 3 the form of grants, loans, or forgivable loans for advanced
 4 research and commercialization projects involving value-added
 5 agriculture, advanced technology, or biotechnology.

6 d. The ~~department~~ authority shall not use any moneys
 7 appropriated in this section for purposes of providing
 8 financial assistance for the Iowa green streets pilot
 9 project or for any other program or project that involves the
 10 installation of geothermal systems for melting snow and ice
 11 from streets or sidewalks.

12 Sec. 9. 2011 Iowa Acts, chapter 130, section 50, subsection
 13 7, is amended to read as follows:

14 7. IOWA COMMISSION ON VOLUNTEER SERVICE

15 For allocation to the Iowa commission on volunteer service
 16 for the Iowa's promise and mentoring partnership programs, for
 17 transfer to the Iowa state commission grant program, and for
 18 not more than the following full-time equivalent positions:

19	\$	89,067
20		<u>178,133</u>
21	FTEs	7.00

22 Of the moneys appropriated in this subsection, the
 23 ~~department~~ authority shall allocate ~~\$37,500~~ \$75,000 for
 24 purposes of the Iowa state commission grant program and ~~\$51,567~~
 25 \$103,133 for purposes of the Iowa's promise and mentoring
 26 partnership programs.

27 Notwithstanding section 8.33, moneys appropriated in this
 28 subsection that remain unencumbered or unobligated at the close
 29 of the fiscal year shall not revert but shall remain available
 30 for expenditure for the purposes designated until the close of
 31 the succeeding fiscal year.

32 Sec. 10. 2011 Iowa Acts, chapter 130, section 51, is amended
 33 to read as follows:

34 SEC. 51. VISION IOWA PROGRAM — FTE AUTHORIZATION. For
 35 purposes of administrative duties associated with the vision

1 Iowa program for the fiscal year beginning July 1, 2012, the
2 ~~department of~~ economic development authority is authorized an
3 additional 2.25 FTEs above those otherwise authorized in this
4 division of this Act.

5 Sec. 11. 2011 Iowa Acts, chapter 130, section 52, is amended
6 to read as follows:

7 SEC. 52. INSURANCE ECONOMIC DEVELOPMENT. From the moneys
8 collected by the division of insurance in excess of the
9 anticipated gross revenues under section 505.7, subsection
10 3, during the fiscal year beginning July 1, 2012, \$100,000
11 shall be transferred to the ~~department of~~ economic development
12 authority for insurance economic development and international
13 insurance economic development.

14 Sec. 12. 2011 Iowa Acts, chapter 130, section 53, is amended
15 to read as follows:

16 SEC. 53. COMMUNITY DEVELOPMENT LOAN FUND. Notwithstanding
17 section 15E.120, subsection 5, there is appropriated from the
18 Iowa community development loan fund all moneys available
19 during the fiscal year beginning July 1, 2012, and ending June
20 30, 2013, to the ~~department of~~ economic development authority
21 for purposes of the community development program.

22 Sec. 13. 2011 Iowa Acts, chapter 130, section 54, is amended
23 to read as follows:

24 SEC. 54. WORKFORCE DEVELOPMENT FUND. There is appropriated
25 from the workforce development fund account created in section
26 15.342A to the workforce development fund created in section
27 15.343 for the fiscal year beginning July 1, 2012, and ending
28 June 30, 2013, the following amount, for purposes of the
29 workforce development fund:

30 \$ 2,000,000
31 4,000,000

32 Sec. 14. 2011 Iowa Acts, chapter 130, section 55, is amended
33 to read as follows:

34 SEC. 55. WORKFORCE DEVELOPMENT ADMINISTRATION. From
35 moneys appropriated or transferred to or receipts credited

1 to the workforce development fund created in section 15.343,
 2 up to \$400,000 for the fiscal year beginning July 1, 2012,
 3 and ending June 30, 2013, are appropriated to the ~~department~~
 4 ~~of~~ economic development authority for the administration of
 5 workforce development activities including salaries, support,
 6 maintenance, and miscellaneous purposes, and for not more than
 7 the following full-time equivalent positions:

8 FTEs 4.00

9 Sec. 15. 2011 Iowa Acts, chapter 130, section 57,
 10 subsections 1, 2, and 4, are amended to read as follows:

11 1. There is appropriated from the general fund of the state
 12 to Iowa state university of science and technology for the
 13 fiscal year beginning July 1, 2012, and ending June 30, 2013,
 14 the following amount, or so much thereof as is necessary, to
 15 be used for small business development centers, ~~the science~~
 16 ~~and technology research park, and~~ the institute for physical
 17 research and technology, and for not more than the following
 18 full-time equivalent positions:

19 \$ ~~1,212,151~~

20 843,832

21 FTEs ~~56.63~~

22 22.73

23 2. Of the moneys appropriated in subsection 1, Iowa state
 24 university of science and technology shall allocate at least
 25 ~~\$468,178~~ \$735,728 for purposes of funding small business
 26 development centers. Iowa state university of science and
 27 technology may allocate moneys appropriated in subsection 1 to
 28 the various small business development centers in any manner
 29 necessary to achieve the purposes of this subsection.

30 4. It is the intent of the general assembly that the
 31 industrial incentive program focus on Iowa industrial
 32 sectors and seek contributions and in-kind donations from
 33 businesses, industrial foundations, and trade associations,
 34 and that moneys for the institute for physical research and
 35 technology industrial incentive program shall be allocated

1 only for projects which are matched by private sector moneys
 2 for directed contract research or for nondirected research.
 3 The match required of small businesses as defined in section
 4 15.102, subsection 6 10, for directed contract research or for
 5 nondirected research shall be \$1 for each \$3 of state funds.
 6 The match required for other businesses for directed contract
 7 research or for nondirected research shall be \$1 for each \$1 of
 8 state funds. The match required of industrial foundations or
 9 trade associations shall be \$1 for each \$1 of state funds.

10 Iowa state university of science and technology shall
 11 report annually to the joint appropriations subcommittee on
 12 economic development and the legislative services agency the
 13 total amount of private contributions, the proportion of
 14 contributions from small businesses and other businesses, and
 15 the proportion for directed contract research and nondirected
 16 research of benefit to Iowa businesses and industrial sectors.

17 Sec. 16. 2011 Iowa Acts, chapter 130, section 59,
 18 subsections 1 and 2, are amended to read as follows:

19 1. There is appropriated from the general fund of the
 20 state to the university of northern Iowa for the fiscal year
 21 beginning July 1, 2012, and ending June 30, 2013, the following
 22 amount, or so much thereof as is necessary, to be used for the
 23 ~~metal casting institute~~, the MyEntreNet internet application,
 24 and the institute of decision making, including salaries,
 25 support, maintenance, miscellaneous purposes, and for not more
 26 than the following full-time equivalent positions:

27	\$	287,358
28		<u>517,263</u>
29	FTEs	<u>6.75</u>
30		<u>5.55</u>

31 2. Of the moneys appropriated pursuant to subsection 1, the
 32 university of northern Iowa shall allocate at least ~~\$58,820~~
 33 \$117,639 for purposes of support of entrepreneurs through the
 34 university's regional business center.

35 Sec. 17. 2011 Iowa Acts, chapter 130, section 61,

1 subsections 1 and 2, are amended to read as follows:

2 1. DIVISION OF LABOR SERVICES

3 a. For the division of labor services, including salaries,
4 support, maintenance, miscellaneous purposes, and for not more
5 than the following full-time equivalent positions:

6	\$	1,747,720
7		<u>3,495,440</u>
8	FTEs	64.00

9 b. From the contractor registration fees, the division of
10 labor services shall reimburse the department of inspections
11 and appeals for all costs associated with hearings under
12 chapter 91C, relating to contractor registration.

13 2. DIVISION OF WORKERS' COMPENSATION

14 a. For the division of workers' compensation, including
15 salaries, support, maintenance, miscellaneous purposes, and for
16 not more than the following full-time equivalent positions:

17	\$	1,474,522
18		<u>2,949,044</u>
19	FTEs	30.00

20 b. The division of workers' compensation shall charge a
21 \$100 filing fee for workers' compensation cases. The filing
22 fee shall be paid by the petitioner of a claim. However, the
23 fee can be taxed as a cost and paid by the losing party, except
24 in cases where it would impose an undue hardship or be unjust
25 under the circumstances. The moneys generated by the filing
26 fee allowed under this subsection are appropriated to the
27 department of workforce development to be used for purposes of
28 administering the division of workers' compensation.

29 Sec. 18. 2011 Iowa Acts, chapter 130, section 61, subsection
30 4, is amended to read as follows:

31 4. OFFENDER REENTRY PROGRAM

32 a. For the development and administration of an offender
33 reentry program to provide offenders with employment skills,
34 and for not more than the following full-time equivalent
35 positions:

1	\$	142,232
2		<u>284,464</u>
3	FTEs	3.00

4 b. The department shall partner with the department of
5 corrections to provide staff within the correctional facilities
6 to improve offenders' abilities to find and retain productive
7 employment.

8 Sec. 19. 2011 Iowa Acts, chapter 130, section 63, subsection
9 1, is amended to read as follows:

10 1. There is appropriated from the special employment
11 security contingency fund to the department of workforce
12 development for the fiscal year beginning July 1, 2012, and
13 ending June 30, 2013, the following amount, or so much thereof
14 as is necessary, to be used for field offices:

15	\$	608,542
16		<u>1,217,084</u>

17 Sec. 20. 2011 Iowa Acts, chapter 130, section 64, is amended
18 to read as follows:

19 SEC. 64. UNEMPLOYMENT COMPENSATION RESERVE FUND —
20 FIELD OFFICES. Notwithstanding section 96.9, subsection 8,
21 paragraph "e", there is appropriated from interest earned on
22 the unemployment compensation reserve fund to the department
23 of workforce development for the fiscal year beginning July 1,
24 2012, and ending June 30, 2013, the following amount or so much
25 thereof as is necessary, for the purposes designated:

26 For the operation of field offices:

27	\$	1,200,000
28		<u>500,000</u>

29 Sec. 21. 2011 Iowa Acts, chapter 130, section 65, is amended
30 to read as follows:

31 SEC. 65. GENERAL FUND — EMPLOYEE MISCLASSIFICATION
32 PROGRAM. There is appropriated from the general fund of the
33 state to the department of workforce development for the fiscal
34 year beginning July 1, 2012, and ending June 30, 2013, the
35 following amount, or so much thereof as is necessary, to be

1 used for the purposes designated:

2 For enhancing efforts to investigate employers that
3 misclassify workers and for not more than the following
4 full-time equivalent positions:

5	\$	225,729
6		<u>451,458</u>
7	FTEs	8.10

8 Sec. 22. 2011 Iowa Acts, chapter 130, section 67, subsection
9 1, is amended to read as follows:

10 1. There is appropriated from the general fund of the state
11 to the Iowa finance authority for the fiscal year beginning
12 July 1, 2012, and ending June 30, 2013, the following amount,
13 or so much thereof as is necessary, to be used to provide
14 reimbursement for rent expenses to eligible persons under the
15 rent subsidy program:

16	\$	329,000
17		<u>658,000</u>

18 Sec. 23. 2011 Iowa Acts, chapter 130, section 69, subsection
19 1, is amended to read as follows:

20 1. There is appropriated from the general fund of the state
21 to the public employment relations board for the fiscal year
22 beginning July 1, 2012, and ending June 30, 2013, the following
23 amount, or so much thereof as is necessary, for the purposes
24 designated:

25 For salaries, support, maintenance, miscellaneous purposes,
26 and for not more than the following full-time equivalent
27 positions:

28	\$	528,936
29		<u>1,148,426</u>
30	FTEs	10.00

31 Sec. 24. REPEAL. 2011 Iowa Acts, chapter 130, section 58,
32 is repealed.

33 DIVISION II
34 FILM OFFICE

35 Sec. 25. Section 2.48, subsection 3, paragraph c,

1 subparagraph (5), Code 2011, is amended by striking the
2 subparagraph.

3 Sec. 26. Section 15.119, subsection 2, paragraph b, Code
4 Supplement 2011, is amended by striking the paragraph.

5 Sec. 27. Section 303.1, subsection 4, Code 2011, is amended
6 by adding the following new paragraph:

7 NEW PARAGRAPH. e. Film office.

8 Sec. 28. NEW SECTION. 303.95 Film office establishment and
9 purpose.

10 The department shall establish and administer a film office.
11 The purpose of the film office is to assist legitimate film,
12 television, and video producers in the production of film,
13 television, and video projects in the state and to increase the
14 fiscal impact on the state's economy of film, television, and
15 video projects produced in the state.

16 Sec. 29. Section 422.7, subsection 52, Code Supplement
17 2011, is amended by striking the subsection.

18 Sec. 30. Section 422.33, subsections 23 and 24, Code
19 Supplement 2011, are amended by striking the subsections.

20 Sec. 31. Section 422.35, subsection 23, Code Supplement
21 2011, is amended by striking the subsection.

22 Sec. 32. Section 422.60, subsections 10 and 11, Code
23 Supplement 2011, are amended by striking the subsections.

24 Sec. 33. Section 533.329, subsection 2, paragraphs f and g,
25 Code Supplement 2011, are amended by striking the paragraphs.

26 Sec. 34. REPEAL. Sections 15.391, 15.392, 15.393, 422.11T,
27 422.11U, 432.12J, and 432.12K, Code and Code Supplement 2011,
28 are repealed.

29 Sec. 35. EFFECTIVE UPON ENACTMENT. This division of this
30 Act, being deemed of immediate importance, takes effect upon
31 enactment.

32 Sec. 36. RETROACTIVE APPLICABILITY. This division of this
33 Act applies retroactively to January 1, 2012, for tax years
34 beginning on or after that date.

35 Sec. 37. APPLICABILITY. This division of this Act does not

1 apply to contracts or agreements entered into on or before the
2 effective date of this Act.